

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE LIBOR-BASED FINANCIAL
INSTRUMENTS ANTITRUST LITIGATION

MDL No. 2262, 11 Civ. 2613

Master File No. 1:11-md-2262-NRB

THIS DOCUMENT RELATES TO: EXCHANGE-
BASED PLAINTIFF ACTION

ECF Case

**NOTICE OF EXCHANGE-BASED PLAINTIFFS' MOTION FOR
LEAVE TO AMEND AS TO COMMODITY EXCHANGE ACT CLAIMS
AND FILE THE SECOND AMENDED
CONSOLIDATED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that the undersigned attorneys for the Exchange-Based Plaintiffs will move this Court before the Honorable Judge Naomi Reice Buchwald, United States District Judge for the Southern District of New York, 500 Pearl Street, New York, New York 10007, at a date and time to be determined by the Court, for an Order granting the Exchange-Based Plaintiffs' Motion for Leave to Amend as to Commodity Exchange Act Claims and File the Second Amended Consolidated Class Action Complaint.

Exchange-Based Plaintiffs' Rule 15(a) proposed Second Amended Consolidated Class Action Complaint responds to the Court's inquiries as to: (a) "whether the period of limitations has expired on potential claims based on contracts purchased prior to August 2007," and (b) "whether the period of limitations has expired on potential claims based on contracts purchased after August 2007," *see In re LIBOR-Based Fin. Instruments Antitrust Litig.*, No. 11 MD 2262 (NRB), 2013 WL 1285338, at *32 (S.D.N.Y. Mar. 29, 2013). Additionally, the proposed amendments: (1) revise the Class Period, (2) update allegations to incorporate facts that came to light through governmental and regulatory investigations and settlements made public *after* Plaintiffs filed their prior Amended Consolidated Class Action Complaint, (3) include additional

allegations relating to defendants' participation in the Eurodollar futures market to address the arguments of the three defendants in their motion for reconsideration of the Court's Order, and (4) add additional defendants.

DATED: May 23, 2013
New York, New York

/s/ David Kovel

David Kovel
Daniel Hume
Lauren Wagner Pederson
KIRBY McINERNEY LLP
825 Third Avenue, 16th floor
New York, New York 10022
Telephone: (212) 371-6600
Email: dkovel@kmlp.com

*Interim Co-Lead Counsel for Exchange-
Based Plaintiffs and the Class*

/s/ Christopher Lovell

Christopher Lovell
**LOVELL STEWART HALEBIAN
JACOBSON LLP**
61 Broadway, Suite 501
New York, New York 10006
Telephone: (212) 608-1900
Email: clovell@lshllp.com

*Interim Co-Lead Counsel for Exchange-
Based Plaintiffs and the Class*